

TIPPECANOE COUNTY COUNCIL

ORDINANCE NO. 2008-20-CL

**AUTHORIZING PURCHASE OF REAL ESTATE
2600 DUNCAN ROAD**

WHEREAS, the Tippecanoe Council (Council) adopted Ordinance 2008-22-CL expressing its interest in the acquisition by Tippecanoe County of certain real estate consisting of approximately 25.585 acres, more or less, located in Tippecanoe County, Indiana, commonly known as 2600 Duncan Road, Lafayette, IN 47904, and listed in the Tippecanoe County, Indiana Auditor's Records as Key Number 158-17200-0162, (the Real Estate); and

WHEREAS, the Board of Commissioners of Tippecanoe County (Commissioners) have entered into a contract to purchase said real estate from Canal Partners., LLC, which contract is incorporated herein by reference, for a sum not to exceed \$1,356,005.00 (the Purchase Price) which Purchase Price shall be determined based upon \$53,000.00 per Net Surveyed Acre, subject to the Commissioners' satisfaction as to usual and customary contingencies, including evidence of title, survey, inspections, environmental and other matters as more fully set forth in such contract; and

WHEREAS; the Council desires to confirm its interest in the purchase of said real Estate and to authorize the Commissioners to close on the purchase thereof.

NOW, THEREFORE, BE IT ORDAINED by the County Council of Tippecanoe County, Indiana, that it hereby confirms its interest in the acquisition by Tippecanoe County of the real estate consisting of approximately 25.585 acres, more or less, located in Tippecanoe County, Indiana, commonly known as 2600 Duncan Road, Lafayette, IN 47904, and listed in the Tippecanoe County, Indiana Auditor's Records as Key Number 158-17200-0162, (the Real Estate) as more fully described in Resolution 2008-22-CL, for a sum not to exceed \$1,356,005.00 (the Purchase Price) which Purchase Price shall be determined based upon \$53,000.00 per Net Surveyed Acre, upon the Commissioners' satisfaction as to usual and customary contingencies, including evidence of title, survey, inspections, environmental and other matters as more fully set forth in such contract; and authorizes the Commissioners to close on the purchase thereof

This Ordinance shall be effective upon passage.

Presented to the County Council of Tippecanoe County, Indiana, and read in full for the first time, and approved this 14th day of October, 2008, by the following vote:

TIPPECANOE COUNTY COUNCIL

VOTE

—

absent

Thomas P. Murtaugh, President

✓

Kevin Underwood

Kevin Underwood, Vice President

✓

David S. Byers

David S. Byers

✓

Andrew S. Gutwein

Andrew S. Gutwein

—

absent

Jeffrey A. Kemper

—

absent

Betty J. Michael

✓

Kathy Vernon

Kathy Vernon

ATTEST:

Jennifer Weston

Jennifer Weston, Tippecanoe County Auditor

Presented to the County Council of Tippecanoe County, Indiana, and read in full for the second time, and adopted this 29th day of October, 2008, by the following vote:

VOTE

✓

Thomas P. Murtaugh

Thomas P. Murtaugh, President

✓

Kevin Underwood

Kevin Underwood, Vice President

✓

David S. Byers

David S. Byers

✓

Andrew S. Gutwein

Andrew S. Gutwein

TIPPECANOE COUNTY COUNCIL

Y

Jeffrey A. Kemper
Jeffrey A. Kemper

Y

Betty J. Michael
Betty J. Michael

Y

Kathy Vernon
Kathy Vernon

ATTEST:

Jennifer Weston
Jennifer Weston, Tippecanoe County Auditor

EXHIBIT A

A part of School Lot 9 in Section 16, Township 23 North, Range 4 West, of the Second Principal Meridian in Fairfield Township, Tippecanoe County, Indiana, being more completely described as follows, to-wit: Commencing at a capped rebar in a position historically representing the northeast corner of School Lot 9 in Section 16, Township 23 North, Range 4 West; thence North $89^{\circ}-15'-00''$ West (record bearing) along the north line of said Lot a distance of 504.08 feet to a capped rebar, and the Point of Beginning of the herein described tract; thence continuing North $89^{\circ}-15'-00''$ West along said north line a distance of 1024.36 feet to a rebar; thence South $13^{\circ}-19'-26''$ West a distance of 664.79 feet; thence South $66^{\circ}-01'-08''$ East a distance of 64.46 feet; thence South $12^{\circ}-06'-43''$ West a distance of 215.64 feet to a rebar on the south line of said Lot 9; thence South $88^{\circ}-35'-53''$ East along said south line a distance of 1143.24 feet to an iron pipe in the center line of North Ninth Street Road; thence North $33^{\circ}-46'-00''$ East along said center line a distance of 829.50 feet to a railroad spike with a cut "+"; thence South $89^{\circ}-56'-48''$ West in part along a chain line type security fence a distance of 438.40 feet to a capped rebar; thence North $00^{\circ}-28'-18''$ West a distance of 209.35 feet to the Point of Beginning, containing 26.106 acres.

EXCEPTING THEREFROM A part of Lot 9 in Section 16, Township 23 North, Range 4 West, Tippecanoe County, Indiana, being further described as follows: Beginning at the intersection of the south line of School Lot 9 and the center line of Ninth Street, being also the southeast corner of the owner's land; thence North $88^{\circ}-44'-32''$ West 24.003 meters (78.75 feet) with the south line of the owner's land to the beginning of a non-tangent curve to the right having a radius of 10,020.000 meters (32,874.02 feet) whose long chord bears North $36^{\circ}-33'-40''$ East 227.675 meters (746.97 feet); thence northeasterly 227.680 meters (746.98 feet) along the arc of said curve; thence North $28^{\circ}-25'-11''$ East 31.101 meters (102.04 feet) to a point in a line of the owner's land; thence North $89^{\circ}-47'-27''$ East 13.686 meters (44.90 feet) to a point in the center line of Ninth Street, being also a corner of the owner's land; being also the beginning of a non-tangent curve to the left, having a radius of 388.084 meters (1273.24 feet) whose long chord bears South $36^{\circ}-06'-50''$ West 41.665 meters (136.70 feet); thence southwesterly along the east line of the owner's land, and the center line of Ninth Street 41.685 meters (136.76 feet) along the arc of said curve to its point of tangency to a line bearing South $33^{\circ}-02'-12''$ West; thence with said line 182.810 meters (599.77 feet) along said east line to the point of curvature of a curve to the right, having a radius of 1285.255 meters (4216.71 feet), whose long chord bears South $33^{\circ}-37'-52''$ West 28.693 meters (94.14 feet) thence southwesterly with said center line and east line 28.693 meters (94.14 feet) along the arc of said curve to the Point of Beginning and containing 0.3381 Hectares (0.835 acres) more or less.